

SCOTT N. SCHOOLS (SC 9990)
United States Attorney

W. DOUGLAS SPRAGUE (CASBN 202121)
Acting Chief, Criminal Division

JEFFREY R. FINIGAN (CASBN 168285)
Assistant United States Attorney

450 Golden Gate Avenue
San Francisco, California 94102
Telephone: (415) 436-7232
Facsimile: (415) 436-7234
Email: jeffrey.finigan@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MICHAEL EDISON,)
)
Defendant.)

Criminal No. CR 07-0074 WHA

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on July 24, 2007, to address issues related to the fact that the defendant's wife, Debra Edison, has been charged with obstruction of justice in relation with this case (Case # CR 07-0479 JSW). The defendant was represented by Michael Thorman, Esq., and the government was represented by Jeffrey Finigan, Assistant United States Attorney. The matter was set before Magistrate James Larson on July 25, 2007, for appointment of CJAA co-counsel, assuming the defendant qualifies, and status before this Court on August 16, 2007, at 3:30 p.m.

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXCLUDING TIME**
CR 07-0074 WHA

In addition to the existing time exclusion already in place for this time period, the Court made a finding that the time from and including July 24, 2007, through and including August 16, 2007, should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best interest of the public and the defendant in a speedy trial. The finding was based on the unsettled status of the defendant's legal representation in light of his wife's case and the need for the defendant to have reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

The parties hereby agree to and request that the case be continued until August 16, 2007, and that the exclusion of time until then be granted. The parties agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial. This time exclusion will allow defense counsel to effectively prepare, taking into account the exercise of due diligence, and will provide for continuity of counsel for the defendant.

DATED: July 26, 2007

/s/
MICHAEL THORMAN
Counsel for Michael Edison

DATED: July 24, 2007

/s/
JEFFREY R. FINIGAN
Assistant U.S. Attorney

So ordered.

DATED: July 30, 2007

WILLIAM ALAN ALPERT
UNITED STATES DISTRICT COURT JUDGE

